

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BANDY et al.

Appl. No. To Be Assigned  
(Continuation of Appl. No. 09/323,206;  
Filed: June 1, 1999)

Filed: Herewith

For: **System And Method For Electronic Inventory**

Confirmation No. To Be Assigned

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 1689.0010004

**Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not

be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed **within three months of the date of filing of a national application** other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our PTO-2038 Credit Card Payment Form **[OR]** Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Attached is our PTO-2038 Credit Card Payment Form **[OR]** Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
  - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
  - ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a

communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☒ 7. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/323,206, filed June 1, 1999, which is relied upon for an earlier filing date under 35 U.S.C. § 120. **Thus, copies of these documents are not attached.** 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert Sokohl  
Attorney for Applicants  
Registration No. 36,013

Date: 12/2/07

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Washington, D.C. 20005-3934  
(202) 371-2600

FORM PTO-1449  <u>INFORMATION DISCLOSURE STATEMENT</u>				ATTY. DOCKET NO. 1689.0010004		APPLICATION NO. To Be Assigned	
				APPLICANT BANDY et al.			
				FILING DATE: Herewith		GROUP: To Be Assigned	

  

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	3,520,406	07/1970	Turner			
	AB1	3,689,885	09/1972	Kaplan et al.			
	AC1	4,225,953	09/1980	Simon et al.			
	AD1	4,418,411	11/1983	Strietzel			
	AE1	4,471,345	09/1984	Barrett, Jr.			
	AF1	4,495,496	01/1985	Miller, III			
	AG1	4,533,871	08/1985	Boetzkes			
	AH1	4,598,275	07/1986	Ross et al.			
	AI1	4,636,950	01/1987	Caswell et al.			
	AJ1	4,656,463	04/1987	Anders et al.			
	AK1	4,862,160	08.1989	Ekchian et al.			

  

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	0 494 114 A2	07/1992	EP			Yes No
	AM1	0 496 986 A2	08/1992	EP			Yes No
	AN1	WO 93/05485	03/1993	WIPO			Yes No
	AO1	0 578 457 A2	01/1994	EP			Yes No
	AP1	0 585 132 A1	03/1994	EP			Yes No

  

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	AR	1	Wade, Will, "Micron To Acquire ID Tech ID Micro", Electronic News (1991), September 1, 1997, p.16.
	AS	1	
	AT	1	

  

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	4,931,788	06/1990	Creswick			
	AB2	5,124,699	06/1992	Tervoert et al.			
	AC2	5,214,409	05/1993	Beigel			
	AD2	5,245,534	09/1993	Waterhouse et al.			
	AE2	5,266,925	11/1993	Vercellotti et al.			
	AF2	5,289,372	02/1994	Guthrie et al.			
	AG2	5,313,052	05/1994	Watanabe et al.			
	AH2	5,365,551	11/1994	Snodgrass et al.			
	AI2	5,390,360	02/1995	Scop et al.			
	AJ2	5,410,315	04/1995	Huber			
	AK2	5,420,577	05/1995	Kim et al.			

  

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2	0 598 624 A1	05/1994	EP			Yes No
	AM2	0 615 285 A2	09/1994	EP			Yes No
	AN2	0 467 036	05/1991	EP			Yes No
	AO2						Yes No
	AP2						Yes No

  

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	AR	2	
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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA3	5,430,441	07/1995	Bickley et al.			
	AB3	5,434,572	07/1995	Smith			
	AC3	5,434,775	07/1995	Sims et al.			
	AD3	5,444,223	08/1995	Blama			
	AE3	5,446,447	08/1995	Carney et al.			
	AF3	5,478,991	12/1995	Watanabe et al.			
	AG3	5,489,908	02/1996	Orthmann et al.			
	AH3	5,499,017	03/1996	Beigel			
	AI3	5,500,650	03/1996	Snodgrass et al.			
	AJ3	5,515,053	05/1996	Hecht et al.			
	AK3	5,519,381	05/1996	Marsh et al.			

  

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
	AL3						Yes No
	AM3						Yes No
	AN3						Yes No
	AO3						Yes No
	AP3						Yes No

  

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	AR	<u>3</u>	
	AS	<u>3</u>	
	AT	<u>3</u>	

  

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	AA4	5,528,222	06/1996	Moskowitz et al.			
	AB4	5,528,232	06/1996	Verma et al.			
	AC4	5,537,105	07/1996	Marsh et al.			
	AD4	5,539,394	07/1996	Cato et al.			
	AE4	5,539,775	07/1996	Tuttle et al.			
	AF4	5,541,928	07/1996	Kobayashi et al.			
	AG4	5,550,547	08/1996	Chan et al.			
	AH4	5,557,280	09/1996	Marsh et al.			
	AI4	5,566,441	10/1996	Marsh et al.			
	AJ4	5,576,692	11/1996	Tompkins et al.			
	AK4	5,583,850	12/1996	Snodgrass et al.			

  

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
	AL4						Yes No
	AM4						Yes No
	AN4						Yes No
	AO4						Yes No
	AP4						Yes No

  

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	AR	<u>4</u>	
	AS	<u>4</u>	
	AT	<u>4</u>	

  

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE	
	AA5	5,591,951	Doty				
	AB5	5,627,517	Theimer et al.				
	AC5	5,627,544	Snodgrass et al.				
	AD5	5,640,151	Reis et al.				
	AE5	5,646,607	Shürmann et al.				
	AF5	5,648,765	Cresap et al.				
	AG5	5,648,767	O'Connor et al.				
	AH5	5,673,037	Cesar et al.				
	AI5	5,680,459	Hook et al.				
	AJ5	5,686,888	Welles, II et al.				
	AK5	5,686,902	Reis et al.				

  

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
	AL5					Yes No	
	AM5					Yes No	
	AN5					Yes No	
	AO5					Yes No	
	AP5					Yes No	

  

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
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	AA6	5,689,239	11/1997	Turner et al.			
	AB6	5,774,876	06/1998	Woolley et al.			
	AC6	5,798,693	08/1998	Engellenner			
	AD6	5,356,516	11/1994	Jandrell			
	AE6	5,742,618	04/1998	Lowe			
	AF6	5,856,788	01/1999	Walter et al.			
	AG6	5,583,819	12/1996	Roesner et al.			
	AH6	5,030,807	07/1991	Landt et al.			
	AI6	5,912,632	06/1999	Dieska et al.			
	AJ6	6,097,347	08/2000	Duan et al.			
	AK6	6,215,401	04/2001	Brady et al.			

  

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
	AL6					Yes	No
	AM6					Yes	No
	AN6					Yes	No
	AO6					Yes	No
	AP6					Yes	No

  

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
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	AA7	5,887,176	03/1999	Griffith et al.			
	AB7	5,917,422	06/1999	Adamec et al.			
	AC7	5,959,568	09/1999	Woolley			
	AD7	5,963,133	10/1999	Monjo			
	AE7	6,025,780	02/2000	Bowers et al.			
	AF7	6,057,756	05/2000	Engellenner			
	AG7	6,058,374	05/2000	Guthrie et al.			
	AH7	6,354,493	03/2002	Mon			
	AI7	6,388,569	05/2002	Engellenner			
	AJ7						
	AK7						

  

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
	AL7						Yes No
	AM7						Yes No
	AN7						Yes No
	AO7						Yes No
	AP7						Yes No

  

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
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